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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/378,159	08/19/1999	DAVID L. PATTON	79770F-P	8786
1333 7590 08/07/2006 PATENT LEGAL STAFF EASTMAN KODAK COMPANY 343 STATE STREET ROCHESTER, NY 14650-2201			EXAMINER VIG, NARESH	
			ART UNIT 3629	PAPER NUMBER

DATE MAILED: 08/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/378,159	Applicant(s) PATTON ET AL.	
	Examiner Naresh Vig	Art Unit 3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-26,28-32 and 34-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,6-26,28-32 and 34-55 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 May 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is in reference to response received 09 March 2006 and 18 May 2006.

Claims 1 – 4, 6 – 26 and 28 – 32 and 34 – 55 are pending for examination.

Response to Arguments

In response to applicant's argument that cited reference USPS in view of Stephens, Brackney and Brasington fails to teach or suggest central authorizing system having a computer program for forwarding information to a remote ordering system for allowing customizing of a postal stamp by a user of the remote ordering system.

Applicant in the dependent claims further limits information to be instruction on how to modify an image to be used on a postal stamp (see claim 4). Applicant is arguing information as a user interface which is used by the user to customize an image which will be used on postal stamp, but, does not positively claim that the information provided by the central authorizing system to the remote ordering system is the user interface. Cited references USPS in view of Stephens, Brackney and Brasington teach the claimed limitation.

In response to applicant's argument that cited references of Kara and Mold is moot upon citing of sixth and seventh art. However, cited references USPS in view of Stephens, Brackney and Brasington do teach the capability of manipulating the image.

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Manipulation of image can include adding text to the image. To further the argument that adding text to an image is old and known in the art, Kara was cited. Cited references USPS in view of Stephens, Brackney and Brasington alone or taken in combination teach the capability of adding text to the customized image.

Mold reference was cited to demonstrate that barcode to a receipt is old and known in the art.

Drawings

The drawings were received on 18 May 2006. These drawings are accepted by the examiner.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1–4, 6–12, 15–26 and 28–32, 34–51, 54 and 55 are rejected under 35 USC 103(a) as being unpatentable over United States Postal Service hereinafter known

as USPS in view of an article by Glen Stephens teaching personalized postage stamps at Australia 99 World Stamps Expo hereinafter known as Stephens, and further in view of an article by Marilyn J. Brackney hereinafter known as Brackney and Brasington et al. US Patent 5,923,406 hereinafter known as Brasington.

Regarding claims 1, 32, 42 and 49 – 50, USPS discloses system and method for ordering a Official Postal Stamp. USPS discloses a central authorizing computer system for communicating with remote ordering system over a communication network, it is obvious that USPS computer system has a computer program for allowing customers to order Official Postal Stamp.

USPS does not disclose ordering customized postal stamp. Stephens teaches that on 19-24 March 1999 at “Australia 99” World Stamp Expo, audience could purchase a sheet of 10 stamps of personalized postage stamps. Also, Stephen teaches the idea of ordering customized postage stamp by customers providing their image to the postal authority [Stephen, page 1].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify USPS as taught by Stephen to produce postally valid customized stamp [Stephen, page 1].

Stephens teaches display device for displaying information on a user interface and data entry mean for getting input form user for enabling a user to communicate with the system (After graphic manipulation through iMacs using customized software, the image was printed on perforated gummed stamps) [Stephen, page 2].

Neither USPS nor Stephens explicitly teaches allowing customers to forward image to the issuing authority. However, Stephen teaches the idea of Postal Authority providing official stamps using the images provided by the customer. Brackney teaches system and method wherein designers create an image for postal stamp which can be electronically transferred to the postal authority for incorporation in an official postal stamp. Brackney discloses that image can be transferred in electronic form [Brackney, page 2, email the image].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify USPS in view of Stephens as taught by Brackney to allow customers to provide images to the postal authority to order personalized postage stamps from the postal authority.

USPS in view of Stephens teaches customizing a postal stamp at a remote ordering system (using customized software on iMacs images can be manipulated) [Stephens, page 2].

USPS in view of Stephens does not explicitly teach user provided image being incorporated as an integral part of said official postal stamp. However, Stephens teaches connected (undivided) official postal stamp. Stephens teaches customized stamp is postally valid while attached. Brasington teaches system and method for user providing an image for incorporation as an integral part of postal stamp (providing personalized postage stamp) [Fig. 5].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify USPS in view of Stephens as taught by

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Brasington to produce a postal stamp which does not break off and lose its collector item value.

USPS in view of Stephens, Brackney and Brasington teaches ordering of customized postal stamp at remote ordering system based on instructions and user selections options provided by central authorizing system (as responded to earlier Brackney and Stephens teaches stamps can be customized and USPS teaches stamps can be ordered over a communication network)

Regarding claim 2, it would have been obvious to one of ordinary skill in the art at the time the invention was made that USPS in view of Stephens, Brackney and Brasington teaches remote ordering system comprises a microprocessor having communication software to be able to communicate with USPS over the communication network.

Regarding claim 3, USPS in view of Stephens, Brackney and Brasington teaches at least on remote ordering system comprises a personal computer (iMacs) [Stephens, page 2].

Regarding claim 4, USPS in view of Stephens, Brackney and Brasington teaches instruction on how to modify (create) and image for use on postal stamp (e.g FAQ, Help etc.) [Brackney, page 1, 2].

Regarding claim 6, USPS in view of Stephens, Brackney and Brasington teaches capability for information to include list of acceptable criteria of image content (applicant is claiming text as their invention).

USPS discloses acceptable criteria for image content of images that can be used on official postal stamp. Brackney discloses that USPS has Criteria For Stamp Subject Selection [Brackney, page 2, pp 3].

Regarding claim 7, USPS in view of Stephens, Brackney and Brasington teaches customers can order of plurality of images already available from USPS for customers to select to place an order for postal stamp [USPS, page 14].

Regarding claims 8, 38 and 48, As responded to earlier in response to claims 1, 32, 42 and 49 – 50, USPS in view of Stephens, Brackney and Brasington teaches uploading of image from a remote location.

Regarding claim 9 – 10 and 45, As responded to earlier in response to claims 1, 32, 42 and 49 – 50, USPS in view of Stephens, Brackney and Brasington teaches allowing customization (manipulation) of images from a remote ordering system (iMac) [Stephens, page 2].

Regarding claims 11 – 12, As responded to earlier in response to claims 1, 7–10, 32, 42 and 49–50, USPS in view of Stephens, Brackney and Brasington teaches

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capability for modifying the shape, size, color, or orientation of the said image (for example, within the guidelines of the post office).

Regarding claim 15, USPS in view of Stephens, Brackney and Brasington teaches denominations for postal stamps (USPS sells stamps with plurality of denominations, Stephens disclose Australia Post issuing a sheet of 10 personalized postage stamps of 45 cents each).

Regarding claim 16, USPS in view of Stephens, Brackney and Brasington teaches modification of denomination in accordance of revised postal rates (obvious that USPS sells postal stamps with revised postal rates to ensure that their customers pay postal rates in accordance to the current postal rates, for example, when the postal rates increases, new stamps issued are sold at then current postal rates by the USPS).

Regarding claims 17 and 34, USPS in view of Stephens, Brackney and Brasington teaches that customers can purchase postal stamps online. It is obvious that online shopping has electronic order form for completion at remote ordering system) [USPS page 5, 14].

Regarding claim 18, USPS in view of Stephens, Brackney and Brasington does not explicitly teach providing notification when order form has been properly filled in. However, it would have been obvious to one of ordinary skill in the art at the time

invention was made that in an online shopping environment, vendors provide notification to customers to inform them that their transaction has been accepted.

Regarding claim 19-21, as responded to earlier in response to claims 17-18, it is obvious that in an online selling environment, USPS in view of Stephens, Brackney and Brasington teaches electronic form to include providing of payment, contact information, etc. (applicant is claiming content of a web page as their invention).

Regarding claims 22-23, 35-36, 44 and 46, as responded to earlier in response to claims 17-18, it is obvious that in an online selling environment, USPS in view of Stephens, Brackney and Brasington teaches creating a receipt of order form.

Regarding claims 23, 36 and 46, as responded to earlier in response to claims 17-18, it is obvious that in an online selling environment, USPS in view of Stephens, Brackney and Brasington has capability for receipt to include customer order identification.

Regarding claim 24, as responded to earlier in response to claims 17-23, it is obvious that in an online selling environment a vendor is know to send update status of an online order to keep their customers informed about their order.

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Regarding claim 25, as responded to earlier in response to claims 17-24, it is obvious that in an online selling environment, USPS in view of Stephens, Brackney and Brasington teaches capability for user to input identification number from the receipt as as indication of a customer accepting the placing of the order (for example, click “accept”, type “yes” etc. as other indications of a customer accepting the placing of the order.

Regarding claim 26, as responded to earlier in response to claims 17-25, USPS in view of Stephens, Brackney and Brasington teaches to have printing device to print the postal stamps.

Regarding claim 28, as responded to earlier in response to claims 1, 8, it is obvious that USPS in view of Stephens, Brackney and Brasington teaches capability for combining image with prestored image.

Regarding claim 29–31 and 51, as responded to earlier in response to claims 1, 6, it is obvious that USPS in view of Stephens, Brackney and Brasington teaches capability for manipulation of image for use on postal stamp [see Stephens].

Regarding claims 37 and 47, as responded to earlier in response to claim 32, it is obvious that USPS in view of Stephens, Brackney and Brasington teaches capability for

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allowing a customer reviewing image at remote computer system prior to uploading image to said central authorizing computer system.

Regarding claim 39, USPS in view of Stephens, Brackney and Brasington teaches obtaining approval to use the image on a postal stamp.

Regarding claim 40, USPS in view of Stephens, Brackney and Brasington teaches printing of postage stamp after obtaining approval from authorizing computer system.

Regarding claim 41, USPS in view of Stephens, Brackney and Brasington teaches to determine if approval to use image has been obtained.

Regarding claim 43, USPS in view of Stephens, Brackney and Brasington teaches ordering of postal stamp based on instructions and selection provided by central authorizing system (USPS system).

Regarding claim 54, as responded to earlier in response to claims 1–4, 6–26 and 28–31, USPS in view of Stephens, Brackney and Brasington teaches a central authorizing computer system for communicating with at least one remote ordering system having a display device and data entry means for ordering a custom official postal stamp over a communication network, said central authorizing computer system

having a computer program for forwarding information to said at least one remote ordering system for display on said display device and allowing customizing and ordering of an official postal stamp by a user from said at least one remote ordering system, said central authorizing computer system having at least one image provided by said user that can be used in a custom official postal stamp, means for manipulation or use of at least a portion of the prestored image for use on said custom official postal stamp.

Regarding claims 55, as responded to earlier in response to claims 1–4, 6–26 and 28–31, USPS in view of Stephens, Brackney and Brasington teaches a central authorizing computer system for communicating with at least one remote ordering system having a display device and data entry means for ordering a custom official postal stamp over a communication network, said central authorizing computer system having a computer program for forwarding information to said at least one remote ordering system for display on said display device and allowing a user to customize and order an official postal stamp from said at least one remote ordering system, said central authorizing computer system having at least one prestored image that can be used in a custom official postal stamp, means for using at least a portion of the prestored image for use on said custom official postal stamp thereby eliminating the need to obtain content approval before producing of said official postal stamp.

Claims 13 – 14 are rejected under 35 USC 103(a) as being unpatentable over United States Postal Service hereinafter known as USPS in view of an article by Glen Stephens teaching personalized postage stamps at Australia 99 World Stamps Expo hereinafter known as Stephens, and further in view of an article by Marilyn J. Brackney hereinafter known as Brackney, Brasington et al. US Patent 5,923,406 hereinafter known as Brasington and Kara US Patent 5,819,240.

Regarding claims 13 – 14, USPS discloses text on postal stamps. USPS in view of Stephens, Brackney and Brasington does not explicitly teach providing of text on postal stamp. However, Kara teaches capability wherein user can personalize postage indicia. In addition, the user is provided with a message box to allow the user to add an optional message or greeting (e.g., "Happy Holidays") to be printed next to the meter stamp.

Therefore, it would have been obvious to one of ordinary skill in the art to modify USPS in view of Stephens, Brackney and Brasington as taught by Kara to allow users to print personalized message on postal stamp.

Claim 52 – 53 are rejected under 35 USC 103(a) as being unpatentable over United States Postal Service hereinafter known as USPS in view of an article by Glen Stephens teaching personalized postage stamps at Australia 99 World Stamps Expo hereinafter known as Stephens, and further in view of an article by Marilyn J. Brackney

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hereinafter known as Brackney, Microsoft Paint, Brasington et al. US Patent 5,923,406

hereinafter known as Brasington and Mold US Patent 5,9978,772.

Regarding claims 52 – 53, as responded to earlier in response to claims 1–4, 6–26 and 28–31, USPS in view of Stephens, Brackney and Brasington teaches a central authorizing computer system for communicating with at least one remote ordering system having a display device and data entry means for ordering a custom official postal stamp over a communication network, said central authorizing computer system having a computer program for forwarding information to said at least one remote ordering system for allowing customizing of an official postal stamp by a user from said at least one remote ordering system for display on said display device and allowing customizing of an official postal stamp by a use from said atleast one remote ordering system, means for manipulation of the image by the user for incorporation as an integral part of custom official postal stamp, for placement of an order with said essential authorizing computer. USPS in view of Stephens, Brackney and Brasington does not teach means for producing an order receipt of said order of said custom postal stamp, said receipt having a identification bar code thereon. However, Mold teaches a receipt with the barcode printed on a receipt.

Therefore, it is known at the time of invention to a person with ordinary skill in the art to modify USPS in view of Stephens, Brackney and Brasington as taught by Mold and print barcode on the receipt to expedite the sales process by minimizing the

customer service representative or the customer to manually enter the order number for checking the status, picking up the order etc.

It is obvious that a barcode reader is required to read the barcode.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 CFR '1.111 (c) to consider the references fully when responding to this office action.

1. Arledge, Jr. et al. US Patent 6,535,294

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naresh Vig whose telephone number is (571) 272-6810. The examiner can normally be reached on M-F 7:30 - 6:00 (Wednesday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Naresh Vig
Examiner
Art Unit 3629

August 1, 2006